

APPENDIX B

Outline of NEPA Requirements for New Utility Installations Controlled Access or Interstate Rights of Way

Option 1 – If the utility project has a NEPA review completed by a Federal agency, then this must be provided to WVDOH.

Option 2 – Evidence of coordination and approval with cultural and natural resource agencies must be provided to WVDOH along with the encroachment permit.

Level of NEPA review: Programmatic Categorical Exclusion (PCE)

Project package submitted to WVDOH should include:

- Map of proposed route
- Description of project, including construction methods and road names/numbers
- Project plans for entire project

Agency coordination/approval to be completed by permittee:

- Cultural Resources
 - State Historic Preservation Office (SHPO) – coordination to determine whether project may affect historic/archaeological resources in the area
 - Tribal consultation, if required based upon project location, will be conducted by WVDOH/FHWA
- Natural Resources
 - West Virginia Division of Natural Resources (WVDNR)
 - United States Fish & Wildlife Service (USFWS)
 - Section 7 Endangered Species Act
 - Section 10 Endangered Species Act
- Other coordination to be considered for utility projects within WVDOH right-of-way, that may or may not be applicable in addition to others that may not be listed here, depending on location and scope of the project:
 - West Virginia Parkways Authority (WVPA)
 - National Forests (US Department of Agriculture)
 - National Parks (US Department of the Interior)
 - State Parks and Forests (WVDNR)
 - Railroads
 - Class I Private or Private Short Lines
 - WV State Rail Authority (WVSRA), which may include rail-trails
 - Federal Highway Administration (FHWA)
 - WV Division of Real Estate, if fiber project includes cell towers
- Any applicable permits
 - United States Army Corps of Engineers (USACE)
 - Section 10 of the Rivers and Harbors Act
 - Section 404 of the Clean Water Act (CWA)
 - West Virginia Department of Environmental Protection (WVDEP)
 - Stormwater Pollution Prevention Plan
 - General Construction Permit
 - NPDES Permit
 - Section 401 Water Quality Certification
 - United States Coast Guard (USCG)